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13 || Attorneys for Plaintiff Laura Fowler

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

17 LAURA FOWLER,  
18 Plaintiff,  
19 v.  
20 KINDRED HEALTHCARE  
21 OPERATING, INC., a Delaware  
Corporation; KINDRED HEALTHCARE  
22 OPERATING, INC., a Delaware  
Corporation doing business as CARE  
23 CENTER OF ROSSMOOR; CARE  
CENTER OF ROSSMOOR; a business  
entity, form unknown; and Does 1 - 20,  
24 Defendants.

Case No. CV 11-04600 EDL

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE  
[N.D. Cal. L.R. 7-12; 16-2(e)]**

Magistrate Judge Elizabeth D. Laporte  
Courtroom: E

1 Plaintiff LAURA FOWLER ("Plaintiff") and Defendants KINDRED HEALTHCARE  
 2 OPERATING, INC. and CARE CENTER OF ROSSMOOR, LLC DBA KINDRED  
 3 TRANSITIONAL CARE AND REHABILITATION - WALNUT CREEK ("Defendants"), by  
 4 and between their respective attorneys of record, hereby stipulate as follows:

5 1. Lead trial counsel, D. Gregory Valenza, Esq., is scheduled to begin a jury trial in  
 6 Sacramento County Superior Court on JANUARY 3, 2012. The trial already has commenced  
 7 (motions in limine have been decided, the courtroom is reserved, etc.), so this date is a firm trial  
 8 date.

9 2. This Court's Order Setting Initial Case Management Conference and ADR  
 10 Deadlines scheduled the Initial Case Management Conference on JANUARY 3, 2012.

11 3. The Standing Order re Case Management Conference of Courtroom E requires the  
 12 lead trial counsel to attend the case management conference.

13 4. A brief continuance of the Initial Case Management Conference to either  
 14 FEBRUARY 7 or 21, 2012 is necessary because lead trial counsel, D. Gregory Valenza, will not  
 15 be able to attend the scheduled case management conference as he is scheduled to begin trial on  
 16 the same date.

17 5. Pursuant to Local Rules 7-12 and 16-2(e), the parties agree to a continuance of the  
 18 Initial Case Management Conference to either FEBRUARY 7 or 21, 2012, or as soon thereafter  
 19 as compatible with this Court's case management calendar.

20 6. Pursuant to this Court's Order Setting Initial Case Management Conference and  
 21 ADR Deadlines, all other deadlines, including Initial Disclosures and Joint Case Management  
 22 Statement, will be continued accordingly.

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1 SO STIPULATED:

2 Dated: December 7, 2011

3 Respectfully submitted,

4 SHAW VALENZA LLP

5 By: s/D. Gregory Valenza

6 D. Gregory Valenza  
Amy K. Lee  
7 Attorneys for Defendants  
Kindred Healthcare Operating, Inc. and  
Care Center of Rossmoor, LLC dba  
8 Kindred Transitional Care and  
Rehabilitation - Walnut Creek

9  
10 Dated: December 7, 2011

Respectfully submitted,

11 LAW OFFICES OF JEREMY PASTERNAK

12 By: s/Anthony Oceguera

13 Jeremy Pasternak  
Anthony Oceguera  
14 Attorneys for Plaintiff  
Laura Fowler

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## **ORDER**

Pursuant to the parties' Stipulation, and GOOD CAUSE APPEARING therefore:

IT IS HEREBY ORDERED that the Initial Case Management Conference in this matter  
be and is hereby CONTINUED to February 7, 2012, at 10:00 a.m.

IT IS FURTHER ORDERED that all deadlines, including those for Initial Disclosures and Joint Case Management Statement, are continued accordingly. \_\_\_\_\_

DATED: December 7 2011

